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APR 24 1944

United States of America
In the
Supreme Court of the United States

No. 826

UNITED STATES OF AMERICA
ex rel. LOUIS JACOBS,
Petitioner,
vs.
JOHN J. BARC, United States Marshal for the
Eastern District of Michigan,
Respondent

PETITION FOR A WRIT OF CERTIORARI TO
THE UNITED STATES CIRCUIT COURT
OF APPEALS FOR THE SIXTH CIR-
CUIT AND BRIEF IN SUPPORT
THEREOF

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INDEX TO PETITION

	Page
Statement of Matter.....	1-3
Opinion Below	3
Jurisdictional Statement	3-8
(a) Constitutional Provision, Statutes and Rules Involved	3-7
(b) Statement Particularly Disclosing Jurisdic- tion	7-8
Question Presented	9
Specification of Error to be urged.....	9
Reasons for Granting the Writ.....	9-11
Conclusion	11

CITATIONS

Cases:

Briggs v. Huff, 118 Fed. (2d) 1006 (C. C. A. 4) ..	10
Clark v. Suprenant, 94 Fed. (2d) 969 (C. C. A. 9)	10
Douglas v. King, 110 Fed. (2d) 911 (C. C. A. 8) ..	10
King v. U. S., 98 Fed. (2d) 291 (C. A. D. C.)	10
Story v. Rives, 97 Fed. (2d) 182 (C. A. D. C.), Cert. denied 305 U. S. 595.....	10
U. S. ex rel. Michelson v. Dillard, 102 Fed. (2d) 94 (C. C. A. 4).....	10
Zerbst v. Kidwell, 92 Fed. (2d) 756 (C. C. A. 5), affirmed 304 U. S. 359, 82 L. ed. 1399, 58 S. Ct. 872, 116 A. L. R. 808.....	8, 10

STATUTES AND CONSTITUTION

Federal Criminal Code:

	Page
(a) Act of June 21, 1902, 32 Stat. 397 (18 U. S. C., Sec. 710).....	2, 4, 8, 9, 10
(b) Act of June 25, 1910, 36 Stat. 821 (18 U. S. C., Sec. 723).....	7
(c) Act of May 13, 1930, 46 Stat. 272; March 2, 1931, 46 Stat. 1469 (18 U. S. C., 716).....	6, 8, 9
(d) Act of May 27, 1930, 46 Stat. 392 (18 U. S. C., Sec. 744h).....	2, 5, 9
(e) Act of June 29, 1932, 47 Stat. 381 (18 U. S. C., Sec. 710a).....	4, 10
(f) Act of June 29, 1932, 47 Stat. 381 (18 U. S. C., Sec. 716a).....	6, 8, 9, 10
(g) Act of June 29, 1932, 47 Stat. 381 (18 U. S. C., Sec. 716b).....	7, 8, 9, 10
(h) Act of June 25, 1910, 36 Stat. 819 (18 U. S. C., Sec. 714).....	5, 8, 9

Federal Judicial Code:

(a) Act of March 3, 1891, 26 Stat. 828, Amended June 7, 1934, 48 Stat. 926 (28 U. S. C., Sec. 347a)	3
(b) Act of Feb. 13, 1925, 43 Stat. 940, amended June 7, 1934, 48 Stat. 926 (28 U. S. C., Section 463(a)(c))	3
United States Constitution, Fifth Amendment.....	3, 9
Supreme Court Rules:	
Rule 38, Section 5 (b).....	8
Rules XI and XIII Criminal Appeals Rules promulgated May 7, 1934.....	3

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**PETITION FOR A WRIT OF CERTIORARI TO
THE UNITED STATES CIRCUIT COURT OF
APPEALS FOR THE SIXTH CIRCUIT**
— — —

**TO THE HONORABLE THE SUPREME COURT OF THE
UNITED STATES:**

The petition of Louis Jacobs respectfully shows to this
Honorable Court:

STATEMENT OF MATTER

1. The petitioner was convicted of counterfeiting on November 9, 1933 and was sentenced to a term of six years imprisonment by the United States District Court for the

Eastern District of Michigan, Southern Division. In the penitentiary he earned 576 days of statutory good time by virtue of Title 18 U. S. C., Section 710, *post*, and 160 days industrial good time by virtue of Title 18 U. S. C., Section 744h, *post*, and thereby was released November 2, 1937 under a certificate of conditional release (R. 10). On or about July 8, 1939, he was arrested for armed robbery but was acquitted thereof in the Recorder's Court for the City of Detroit. He was rearrested under the same set of facts on January 3, 1940 for carrying concealed weapons and was convicted thereof in the Recorder's Court of Detroit and was sentenced on April 2, 1940 to the State Penitentiary at Jackson, Michigan for a term of two and a half to four years. He was released on parole to the State of Michigan on June 3, 1943.

2. The six year term did not expire until November 8, 1939, according to the United States Board of Parole, but, according to your petitioner and a proper interpretation of the statutes it expired forever on November 2, 1937.

3. The United States Board of Parole, on November 7, 1939, issued its parole violation warrant for the retaking of the petitioner as a violator of his conditional release charging the petitioner with making false reports, associating with persons of bad reputation, and alleged armed robbery (R. 22).

4. Said warrant was delivered to the United States Marshal, for the Eastern District of Michigan, on November 13, 1939 and was not served upon petitioner until June 3, 1943, upon his release from the State Penitentiary at Jackson, Michigan (R. 23).

5. Petitioner obtained a Writ of Habeas Corpus in the United States District Court on the 4th day of June, A. D. 1943, upon a petition claiming, *inter alia*, that his sentence

